



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ROYERAtty. Ref.: **1729-42**Serial No. **10/584,908**

Group:

National Phase of: **PCT/US2005/001138**International Filing Date: **13 January 2005**Deposited: **June 29, 2006**

Examiner:

For: **NON-AQUEOUS COMPOSITIONS FOR TREATMENT OF
ORTHOPEDIC DEFECTS AND DELIVERY OF BIOACTIVE
AGENTS**

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November 8, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION OF EXPRESS ABANDONMENT
AND
PETITION FOR FEE REFUND UNDER RULE 37 CFR.138(d)

Applicant hereby expressly abandons Serial No. 10/584,908, deposited June 29, 2006.

Applicant also hereby petitions for the refund of the search fee and excess claims fee paid in the application, in the amount of \$1,300.00.

Applicant is not aware of any examination of the application to date.

The refund of the Search Fee (and excess claims fee) should be credited to our deposit account number 14-1140 under order number 1729-42

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


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